

GNF Docket No.: P1085US10  
Confirmation No.: 6903

PTO/SB/97 (08-03)  
Approved for use through 07/31/2006. OMB 0651-0031  
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### Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence for U.S. Patent Application No. 10/732,894, filed December 10, 2003 in re Suhalla White, et al. is being facsimile transmitted to the United States Patent and Trademark Office at facsimile number (703) 746-4060 on November 4, 2004.

Date

Jill R. Clarke

Signature

Jill R. Clarke

Typed or printed name of person signing Certificate

Customer No. 29490  
Genomics Institute of the Novartis Research Foundation  
Telephone: 858-812-1855  
Fax: 858-812-1981

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#### Attachments:

1. Form PTO/SB/21 Transmittal Form (1 pg.);
2. Form PTO/SB/17 Fee Transmittal FY 2005 (Form PTO/SB/17) with authorization to charge Deposit Account No. 1885 in the amount of \$1,102 for basic filing fee, late declaration surcharge, and one month extension of time (1 pg. + 1 pg. copy);
3. Copy of Notice of Incomplete Reply mailed 10/26/04 (2 pgs.); and
4. Fax Cover Sheet with Certificate of Transmission under 37 CFR 1.8 (1 pg.).

Total pages (including this paper): 6

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

10/732,894

Filing Date

12/10/2003

First Named Inventor

Suhaila White

Art Unit

1641

Examiner Name

Attorney Docket Number

P1085US10

## ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Reply

☐ After Final

☐ Affidavits/declaration(s)

☒ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ After Allowance Communication to Technology Center (TC)

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)  
(please identify below):

1. Form PTO/SB/21 Transmittal Form (1 pg.);
2. Form PTO/SB/17 Fee Transmittal FY 2005 (Form PTO/SB/17) with authorization to charge Deposit Account No. 18A5 in the amount of \$1,102 for basic filing fee, late declaration surcharge, and one month extension of time (1 pg. + 1 pg. copy);
3. Copy of Notice of Incomplete Reply mailed 10/28/04 (2 pgs.); and
4. Fax Cover Sheet with Certificate of Transmission under 37 CFR 1.6 (1 pg.).

☐ Certified Copy of Priority Document(s)

☒ Response to Missing Parts/Incomplete Application

☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

Remarks

The Director is authorized to charge any additional fees to Deposit Account No. 50-1885.

Request for One Month Extension of Time

Applicants respectfully request a one month extension of time to respond to the Missing Parts Notice mailed August 12, 2004.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Hugh Wang, Registration No. 47,163

Signature

Date

November 4, 2004

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the US PTO at facsimile No.: 703-746-4060 on the date shown below.

Typed or printed name

Jill R. Clarke

Signature

Date

November 4, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1102

## Complete if Known

Application Number 10/732,894  
Filing Date 12/10/2003  
First Named Inventor Suhaila White  
Examiner Name  
Art Unit 1641  
Attorney Docket No. P1085US10

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order

☒ Deposit Account:

Deposit  
Account  
Number 50-1885

Deposit  
Account  
Name Genentech Institute of the Novartis Research  
Foundation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Fee Code (\$)	Small Entity	Fee Code (\$)	Fee Description	Fee Paid
	1001		2001	Utility filing fee	790
	1002		2002	Design filing fee	
	1003		2003	Plant filing fee	
	1004		2004	Reliance filing fee	
	1005		2005	Provisional filing fee	
SUBTOTAL (1)					(\$ 790)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	24	-20	=	4	X	18	=	72
Independent Claims	3	-3	=	0	X		=	0
Multiple Dependent					X		=	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	58	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	85	2204	44	-- Reissue independent claims over original patent
1205	18	2205	9	-- Reissue claims in excess of 20 and over original patent

\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Fee Code (\$)	Small Entity	Fee Code (\$)	Fee Description	Fee Paid
	1051		2051	Surcharge - late filing fee or oath	130
	1052		2052	Surcharge - late provisional filing fee or cover sheet	
	1053		2053	Non-English specification	
	1812		2520	For filing a request for ex parte reexamination	
	1804		920*	Requesting publication of SIR prior to Examiner action	
	1805		1,840*	Requesting publication of SIR after Examiner action	
	1251		110	Extension for reply within first month	110
	1252		430	Extension for reply within second month	
	1253		880	Extension for reply within third month	
	1254		1,530	Extension for reply within fourth month	
	1255		2,080	Extension for reply within fifth month	
	1401		340	Notice of Appeal	
	1402		340	Filing a brief in support of an appeal	
	1403		300	Request for oral hearing	
	1451		1,510	Petition to institute a public use proceeding	
	1452		110	Petition to revive - unavoidable	
	1453		1,370	Petition to revive - unintentional	
	1501		1,370	Utility issue fee (or reliance)	
	1502		490	Design issue fee	
	1503		660	Plant issue fee	
	1460		130	Petitions to the Commissioner	
	1607		50	Processing fee under 37 CFR 1.17 (q)	
	1806		180	Submission of Information Disclosure Stmt	
	8021		40	Recording each patent assignment per property (times number of properties)	
	1809		790	Filing a submission after final rejection (37 CFR § 1.128(a))	
	1810		790	For each additional invention to be examined (37 CFR § 1.128(b))	
	1801		790	Request for Continued Examination (RCE)	
	1802		900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 240)

## SUBMITTED BY

Name (Print/Type)	Hugh Wang	Registration No. (Attorney/Agent)	47,163	Telephone	859-812-1539
Signature		Date	November 4, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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11/05/2004 NGUYEN 00000096 501885 10732894

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/732,894	12/10/2003	Suhaila White	P1085US10

29490  
GENOMICS INSTITUTE OF THE  
NOVARTIS RESEARCH FOUNDATION  
10675 JOHN JAY HOPKINS DRIVE, SUITE E225  
SAN DIEGO, CA 92121-1127

CONFIRMATION NO. 6903

## FORMALITIES LETTER



\*OC000000014199284\*

Response: 11.12.04

Date Mailed: 10/26/2004

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

## Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 10/12/2004 to the Notice to File Missing Parts (Notice) mailed 08/12/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 790 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 was not received.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$72 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

GNF Legal Department  
RECEIVED

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$992 for a Large Entity

- \$790 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is \$72

11/05/2004 CNGUYEN 00000096 501885 10732894

01 FC:1001 790.00 DA  
02 FC:1051 130.00 DA  
03 FC:1202 72.00 DA

BY: \_\_\_\_\_


BEST AVAILABLE COPY

- \$72 for 4 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE